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Total Number of Pages in This Submission

12

Application Number

10/699,175

Filing Date

October 31, 2003

First Named Inventor

John R. Bianchi

Art Unit

3738

Examiner Name

Suzette Jaime Gherbi

Attorney Docket Number

MSDI-434/PC316.08

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg DeVault LLP		
Signature			
Printed name	Brad A. Schepers		
Date	January 17, 2006	Reg. No.	45,431

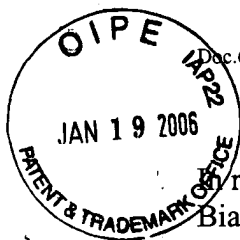
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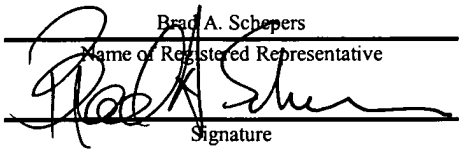
Before patent application of:	)	Before the Examiner:
Bianchi et al.	)	Suzette Jaime Gherbi
	)	
Application of Serial No. 10/699,175	)	Group Art Unit 3738
	)	
Filed October 31, 2003	)	Ref. No. MSDI-434/PC316.08
	)	
OPEN INTERVERTEBRAL SPACER	)	January 17, 2006

**RESPONSE TO OFFICE COMMUNICATION**

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In response to the Office Communication dated December 16, 2005, please enter and consider the following remarks. No fees are believed to be due in association with the filing of this Response. However, please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

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